

However, Michaelis does not disclose or suggest a means for decoupling diagnostic radiation from radiation provided for material processing of a workpiece. The beam splitter 18 in Michaelis is to used to direct radiation in the laser beam 26 away from the measuring chamber 14 and toward the detector 17', and there is no portion of the beam 26 that is used for material processing of a workpiece. Moreover, Michaelis relates to a method and apparatus for detecting hydrocarbons and does not disclose or suggest a laser-processing machine for processing a workpiece.

For at least these reasons, applicants request withdrawal of the rejection and allowance of claim 1. Claims 2 and 11 depend from claim 1 and are allowable for at least the reasons that claim 1 is allowable.

35 U.S.C. § 103

Claims 3-8 have been rejected as allegedly obvious over Michaelis. As explained above, claim 1 is allowable because Michaelis does not disclose all the limitations of the claim. Applicant requests withdrawal of this rejection because claims 3-8 depend from claim 1 and therefore are allowable at least for the reasons that claim 1 is allowable.

Claims 9-10 have been rejected as allegedly obvious over Michaelis in view of US Patent No. 5,811,753 ("Weick"). Applicant requests withdrawal of this rejection, because Weick does not remedy the deficiencies of Michaelis. Because claims 3-8 depend from claim 1 they are allowable at least for the reasons that claim 1 is allowable.

Weick relates to a laser machine tool that includes a laser beam generator, a machining head, and a beam passage between the laser beam generator and the machining head. The beam passage is filled with a gas of limited CO₂ content. By limiting the amount of CO₂ between the laser and the machining head, the power attenuation of the laser beam as the beam travels from the laser to the machining head is reduced.

However, unlike the laser-processing machine of claim 1, which includes a means for decoupling radiation from the material processing radiation beam such that the decoupled beam can be used for diagnosing the amount and/or kind of attenuating gas between the laser and the

machining head, Weick only provides a beam passage that attempts to reduce the amount of attenuating gas. However, like Michaelis, Weick does not disclose or suggest a means for decoupling diagnostic radiation from radiation provided for material processing of a workpiece.

Thus, because Weick fails to remedy the deficiencies of Michaelis, claims 9 and 10 are allowable for at least the same reasons claim 1 is allowable.

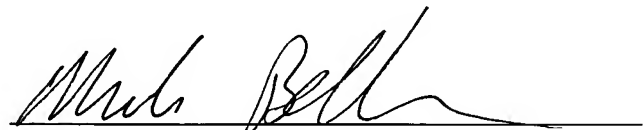
Claims 1-14 have been rejected as allegedly obvious over Weick in view of Michaelis. Applicant requests withdrawal of this rejection because neither Weick nor Michaelis, alone or in combination, discloses all the elements of independent claims 1. As explained above, neither Michaelis nor Weick discloses or suggests a means for decoupling diagnostic radiation from radiation provided for material processing of a workpiece, as recited in claim 1. Thus, independent claim 1 is allowable. Claims 2-14 depend from claim 1 and are allowable at least for the same reasons that claim 1 is allowable.

Applicant requests that the Examiner reconsider the pending rejections and allow all claims. No fees are believed to be due at this time. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 15540-009001.

Respectfully submitted,

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